IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE THIRTY FIRST DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

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WRIT PETITION NO : 22661 of 1995

Between:

K. Venkata Ramana S/o. Bapaiah
R/o. Bantumilli Road, Gudiwada, Krishna District.

..... PETITIONER

AND

1 The Commissioner, Prohibition and Excise,
Nampally, Hyderabad.
2 The Deputy Commissioner, Prohibition and Excise,
Kakinada, East Godavari Dist.
3 The Inspector of Prohibition and Excise,
Kaikalur, Krishna District.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order or direction more particularly one in the nature of 'Writ of Mandamus' declaring the action of the 2nd respondent in issuing confiscation Proceedings in R.C.O. NO. B3/2307/95, dated 26.8.1995, confiscating the Petitioner's Lorry bearing Registration No. A P 37.U.4799 as illegal, arbitrary and without affording sufficient opportunity and consequently set-aside the confiscation proceedings R.C.O.NO. B3/2307/95, dated 26.8.1995 issued by the 2nd respondent confiscating the Petitioner's Lorry bearing registration No. A P 37.U.4799.

Counsel for the Petitioner:MR.K.VENKATESH (Not present)

Counsel for the Respondents: GP FOR PROHIBITION & EXCISE

The Court made the following ORDER:

The present writ petition is filed seeking declaration of the action of second respondent in issuing confiscation proceedings in R.C.O.No.B3/2307/95, dated 26-08-1995 confiscating the petitioner's lorry bearing No.AP37 U 4799 as illegal, arbitrary and without affording sufficient opportunity and to set aside the said proceedings.

Learned counsel for petitioner called absent. Learned Government Pleader for Excise submitted that the cause in the writ petition does not survive and the matter has become infructuous.

In the circumstances, the writ petition is dismissed as infructuous. No costs.

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N.V.RAMANA,J

31st AUGUST, 2004.

To

1 The Commissioner, Prohibition and Excise,
Nampally, Hyderabad.

2 The Deputy Commissioner, Prohibition and Excise,
Kakinada, East Godavari Dist.
3 The Inspector of Prohibition and Excise,
Kaikalur, Krishna District.

4 Two CCs to the Government Pleader for Excise, A.P.High Court Buildings, Hyderabad.(OUT)

5.. Two CD copies.

THE HON'BLE MR JUSTICE N.V. RAMANA

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WRIT PETITION NO : 22661 of 1995

DATE: 31-8-2004